

PRESIDENT: Is that Senator Barnett? Record your vote. Please vote. Record.

CLERK: 26 ayes, 0 nays.

PRESIDENT: Motion carried. Senator Barnett.

SENATOR BARNETT: Now Mr. President, I move for the second adoption or the second amendment which has two parts to it and the dividing line is at a \$10,000 level. The easiest way to try to discuss it...I've passed this amendment out to everybody and I hope you have it in front of you. The people that draw at least \$10,000 can receive either compensatory time or payment for the hours work and that decision shall be made by the department head, but under the employees in the state of Nebraska that are paid under \$10,000 a year will be paid time-and-a-half. Now the question might arise, what will that do to the budget, but there is an overtime allotment as I understand it put into the budgets and to the departments for overtime work. For those of you who fear it will raise the budget, it won't. Because when you run out of the money, they can't work overtime anyway. There would be no money there to pay them. So what we're doing is trying to determine at a \$10,000 annual salary level that any of the lower paid state employees when they work over 40 hours shall receive time-and-a-half pay. Anybody above \$10,000 would have to be a decision of the particular department head. If it really came down to it, it would probably be a decision of the department head anyway.

PRESIDENT: Senator Labeledz.

SENATOR LABEDZ: Mr. President, members of the Legislature. I rise to oppose the amendment by Senator Barnett. The contents which were originally in LB 325 proposed by the Nebraska Association of Public Employees. The amendment as written would eliminate compensatory time at a time-and-a-half for those employees earning under \$10,000 and I disagree with Senator Barnett that it wouldn't harm the budget in any way because it would. If there wasn't any money, he claims they wouldn't be able to work. Well, there are times in an emergency where the employees would have to work. This would definitely cause a detriment to the department head. I do not know what the fiscal impact would be on each department but I am told that it would be disastrous for certain divisions which do require a great deal of overtime work during heavy workload periods and emergency requests. LB 88 as proposed states that the employee required to work at the discretion of the department head be granted comp time off at the rate of 1½ time hours work in excess of 40 hours or be paid 1½ time the hours worked in excess of 40 hours. The decision as to whether the hours worked by the employee be paid or comp time earned should be at the decision of the department head. I respectfully urge the members of the body to vote against this amendment.

PRESIDENT: Senator Richard Marvel.

SENATOR MARVEL: I'd like to ask Senator Barnett...I have a couple of questions and maybe Senator Labeledz needs to answer this. Senator Barnett, I look at LB 88 if I read the fiscal note properly, in one half of it it says it's going to cost roughly \$720,000 and that may not be the present figure. It